

# **EDITOR'S NOTE**

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No. 84-1077-CF  
Status: GRANTED

Title: Carol Whitley, Individually and as Assistant Superintendent, Oregon State Penitentiary, et al., Petitioners  
v.  
Gerald Albers

Docketed:  
December 31, 1984

Court: United States Court of Appeals for the Ninth Circuit

Counsel for petitioner: Mountain Jr., James E.

Counsel for respondent: Mechanic, Gene

Entry	Date	Note	Proceedings and Orders
1	Dec 31 1984	3	Petition for writ of certiorari filed.
2	Feb 2 1985		Waiver of right of respondent Gerald Albers to respond filed.
3	Feb 6 1985		DISTRIBUTED. February 23, 1985
4	Feb 21 1985	P	Response requested. (Due March 23, 1985 - NONE RECEIVED)
6	Mar 11 1985		Order extending time to file response to petition until April 27, 1985.
7	Apr 19 1985		Brief of respondent Gerald Albers in opposition filed.
8	Apr 19 1985	3	Motion of respondent for leave to proceed in forma pauperis filed.
9	May 7 1985		RELISTED. May 23, 1985
11	May 31 1985		RELISTED. June 6, 1985
12	Jun 10 1985		Motion of respondent for leave to proceed in forma pauperis GRANTED.
13	Jun 10 1985		Petition GRANTED.
14	Jun 24 1985	6	Motion of respondent for appointment of counsel filed.
16	Jul 2 1985		Order extending time to file brief of petitioner on the merits until August 15, 1985.
17	Jul 17 1985		DISTRIBUTED. Sept. 30, 1985. (Motion of respondent for appointment of counsel).
19	Aug 13 1985		Order extending time to file brief of respondent on the merits until September 30, 1985.
20	Aug 16 1985		Brief amicus curiae of United States filed.
21	Aug 16 1985		Brief of petitioners Whitley, Asst. Supt., et al. filed.
22	Aug 17 1985		Joint appendix filed.
23	Sep 4 1985		Record filed.
24	Sep 30 1985		Brief amicus curiae of Correctional Association of NY, et al. filed.
25	Sep 30 1985		Brief of respondent Gerald Albers filed.
26	Oct 7 1985		Motion for appointment of counsel GRANTED and it is ordered that Gene B. Mechanic, Esquire, of Portland, Oregon, is appointed to serve as counsel for the respondent in this case.
27	Oct 18 1985		RECALLED.
28	Oct 22 1985		SET FOR ARGUMENT, Tuesday, December 10, 1985. (1st case).
29	Dec 2 1985	X	Reply brief of petitioners Whitley, Asst. Supt., et al.

No. 84-1077-CFX

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30	Dec 10 1985	filed. ARGUED.	
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